

RECEIVED
CENTRAL FAX CENTER

T-690 P.001/003 F-400

Customer No. 28880

SEP 27 2005 Confirmation No. 5399

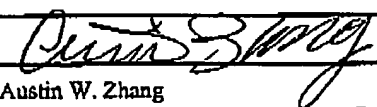
PTO/SB/21 (09-04)

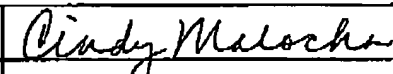
Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/777,252	
	Filing Date	February 12, 2004	
	First Named Inventor	Jian-Min Fu	
	Art Unit	1626	
	Examiner Name	SHAMEEM, GOLAM M.	
Total Number of Pages In This Submission	3	Attorney Docket Number	PC26832

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Authorization to charge the fee and any additional fees as necessary or credit any overpayment to deposit account 23-0455 is hereby given.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Pfizer Inc.		
Signature			
Printed name	Austin W. Zhang		
Date	9-27-2005	Reg. No.	48,061

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Cindy Malocha
Date	September 27, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 571-273-8300

SEP 27 2005

PC26832

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: JIAN-MIN FU EXAMINER: GOLAM M. SHAMEEM
SERIAL NO.: 10/777,252 ART UNIT: 1626
FILED: FEBRUARY 12, 2004 CONF. NO.: 5399
FOR: ARYLSULPHONYL SUBSTITUTED-TETRAHYDRO- AND
HEXAHYDRO-CARBAZOLES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to the Office action mailed 09/09/2005, which supersedes the previous Office action mailed on July 22, 2005. This Office action issues an Election/Restrictions requirement, which divides the claims in the application into six groups, which the Office action describes as follows:

- I. Claims 1-4, 10, and 6 drawn to compounds, composition classified in classes 548, 514 and numerous subclasses.
- II. Claims 11-15 drawn to a method of treating a disease classified in class 514.
- III. Claims 17 and 34 drawn to a method of performing emission tomography classified in class 374.
- IV. Claims 19-22, 27, and 33 drawn to compounds, compositions classified in classes 548, 514 and numerous subclasses.
- V. Claims 28-32 drawn to a method of treating a disease classified in class 514.
- VI. Claims 36-39 drawn to a method of performing emission tomography classified in class 374.

In response to the Elections/Restrictions requirement, Applicant provisionally elects, with traverse, Group VI and the single compound recited in claim 39, namely

10/777,252

- 2 -

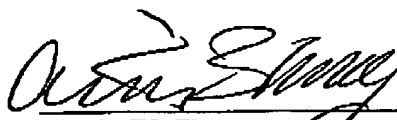
PC26832

(3R)-9-Methyl-6-(phenylsulfonyl)-2,3,4,4a,9,9a-hexahydro-1H-carbazol-3-amine. Claims readable on (3R)-9-Methyl-6-(phenylsulfonyl)-2,3,4,4a,9,9a-hexahydro-1H-carbazol-3-amine are claims 38 and 39.

Applicant respectfully submits that the requirement is improper because Applicant believes the Examiner has not made a prima facie showing of a serious burden. (MPEP 803). According to the MPEP, a serious burden may be prima facie shown if the examiner shows by appropriate explanation of separate classification, or separate status in the art, or different field of search. Applicant believes the Examiner has failed to make such as a prima facie showing. For example, both Groups III and VI, which both recite a method of performing emission tomography, are classified, according to the Office action, in class 374. However, the Examiner has not provided explanation or showing that the two groups have separate status in the art or require a different field of search. Similarly, Groups I and IV are both classified in 548, 514, while Groups II and V also in class 514; however, the Examiner has provided no explanation or showing that the two groups in the same class have separate status in the art or require a different field of search. For the above reasons, Applicant respectfully requests that the Examiner reconsider and withdraw the Restrictions/Elections requirement. At minimum, Applicant requests a modification of the requirement such that Groups III and VI are examined together on merits, because Applicant believes that an examination on the two groups together can be made without a serious burden on the Examiner.

Respectfully submitted,

Dated: 9-27-2005


Austin W. Zhang
Registration No. 48,061
Pfizer Inc.
2800 Plymouth Road
Ann Arbor, MI 48105
Telephone: (734) 622-5035
Facsimile: (734) 622-1553